



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ALEXANDER KUVSHINOV,

Plaintiff,

-against-

TRIBECA GRAND HOTEL, INC.,

Defendant.

Case No. 07 civ. 11052 (RJH)(JCF)

PROPOSED SCHEDULING
ORDER

RJH

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I. DESCRIPTION OF THE CASE.

A. Attorneys of Record.

Jonathan A. Bernstein
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880 Third Avenue, Ninth Floor
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(212) 371-0033

Lori D. Bauer
Liane Z. Chinwalla
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59 Maiden Lane
New York, NY 10038
(212) 545-4000

ATTORNEYS FOR PLAINTIFF
ALEXANDER KUVSHINOV

ATTORNEYS FOR DEFENDANT
TRIBECA GRAND HOTEL, INC.

B. Basis for Jurisdiction, Description of Claims and Relief Sought.

Plaintiff, a former security officer of the Tribeca Grand Hotel ("TGH"), was terminated on or about October 5, 2006. He brings this action pursuant to Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e, *et seq.*; the Civil Rights Act of 1991, 42 U.S.C. § 1981A; New York State Human Rights Law, New York Executive Law § 296; and Article 8 of the New York City Administrative Code, N.Y.C. Admin. Code § 8-101, *et seq.*, alleging that he was subject to harassment and discrimination on the basis of his sex and national origin (Russian) by his former supervisor at TGH and terminated in retaliation for complaints thereof. Defendant denies the allegations in Plaintiff's

Complaint and maintains that Plaintiff was terminated for a legitimate, non-discriminatory reasons, namely talking on his cell phone when he should have been on patrol. Plaintiff seeks economic, compensatory and punitive damages, attorneys fees and injunctive relief.

II. PROPOSED CASE MANAGEMENT PLAN.

- a. Pending Motions: there are no pending motions by the parties at this time.
- b. Cutoff Date for Joinder of Additional Parties: April 15, 2008.
- c. Cutoff Date for Amendments to Pleadings: April 15, 2008.
- d. Schedule for Completion of Discovery:
 - i. Exchange of Rule 26(a)(1) Disclosures: March 21, 2008.
 - ii. Fact Discovery Completion: July 30, 2008.
 - iii. Exchange of Rule 26(a)(2) Disclosures: August 15, 2008.
 - iv. Expert Discovery Completion (including exchange of expert reports): August 30, 2008.
- e. Filing of Dispositive Motions: September 30, 2008.
- f. Filing of Pretrial Order: November 8, 2008.
- g. Trial Schedule:
 - i. The parties request a jury trial.
 - ii. The probable length of trial is three (3) days.
 - iii. The case will be ready for trial on January 12, 2009.

III. THE PARTIES DO NOT UNANIMOUSLY CONSENT TO PROCEED BEFORE A MAGISTRATE JUDGE.

IV. STATUS OF SETTLEMENT DISCUSSIONS.

- a. The parties have not participated in settlement discussions to date.
- b. At this time, the parties do not request a settlement conference. However,

the parties anticipate that the need may arise for a settlement conference at a later date.

Respectfully submitted,

LEVY DAVIS & MAHER, LLP
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(212) 371-0033

Dated: March 4, 2008
New York, NY

By: Jonathan Bernstein by LOB
Jonathan A. Bernstein (JB 4053)

ATTORNEYS FOR PLAINTIFF

JACKSON LEWIS LLP
59 Maiden Lane
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Dated: March 4, 2008
New York, New York

By: Lori D. Bauer
Lori D. Bauer (LB 8098)
Liane Chimvalla (LC 5708)

ATTORNEYS FOR DEFENDANT
TRIBECA GRAND HOTEL, INC.

v. A status conference shall be held on
August 15, 2008 at 10:00 a.m.

SO ORDERED

[Signature]
USDT
3/12/08